



Jul 08 2022 8:26 am

City of Fitchburg Massachusetts 01420

CITY COUNCIL

Councillors at Large

Sally H. Cragin
Marcus L. DiNatale
Amy Green
Samantha M. Squailia
Anthony M. Zarrella

President

Anthony M. Zarrella

Vice President

Andrew J. Van Hazinga

Ward Councillors

Ward 1 – Bernard J. Schultz III
Ward 2 – Paul R. Beauchemin
Ward 3 – Andrew J. Couture
Ward 4 – Andrew J. Van Hazinga
Ward 5 – Marisa R. Fleming
Ward 6 – Derrick J. Cruz

The regular meeting of the City Council of the City of Fitchburg was held at the Legislative Building at 700 Main Street and over the Zoom meeting platform and live streamed at FATV Studios, Fitchburg, on May 17, 2022.

The meeting was called to order by President Anthony Zarrella at 7:00 P.M. The meeting opened with a salute to the Flag led by Councilor Beauchemin. The Clerk called the roll and 11 Councillors were present. Councilor Cragin was present remotely.

I. PUBLIC FORUM

No one spoke at the Public Forum.

II. REPORT OF THE APPOINTMENTS COMMITTEE

Appointments Committee Oral Report Meeting of May 17, 2022

The Appointments Committee recommended the following Appointments be confirmed:

Appointments Committee Oral Report Meeting of May 17, 2022

New Appointments: Full-Time Student Police Officers Fitchburg Police Department

Dawson Stacy
Ashley Perez
Auria Rojas

Report read and accepted. Appointments confirmed by unanimous consent. 11 members present. Board consists of 11 members.

Upon confirmation, Appointees were sworn in by the City Clerk.

III. REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of May 3, 2022 were correctly recorded. Report accepted and minutes adopted.

IV. COMMUNICATIONS

His Honor the Mayor

1. Appointment letter:
Special Police Officers
Officers Leroy M. Jackson and Dean D. Romano
2. Appointment letter:
Nicholas J. Carbone, as a member of the Fitchburg Disability Commission, term to expire June 1, 2025.

Appointments read and referred to the Appointments Committee by unanimous consent 11/0.

2. Amendment to Order #117-22

Reading waived. Reports placed on file in the City Clerk's Office by unanimous consent 11/0. 11 members present. Board consists of 11 members.

V. REPORTS OF COMMITTEES

Finance Committee

Meeting of May 11, 2022

The Finance Committee recommended the following Orders be adopted:

- 103-22. ORDERED THAT: there be and hereby is appropriated the sum of FIFTY-SEVEN THOUSAND, NINE HUNDRED SEVENTY-TWO AND 00/100 DOLLARS (\$57,972.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:

MAYOR, PERSONAL SERVICES	\$ 3,289.00
CITY AUDITOR, PERSONAL SERVICES	\$ 5,691.00
PURCHASING, PERSONAL SERVICES	\$ 2,610.00
ASSESSOR, PERSONAL SERVICES	\$ 2,715.00
TREASURER, PERSONAL SERVICES	\$ 4,959.00
HUMAN RESOURCES, PERSONAL SERVICES	\$ 3,915.00
CITY CLERK, PERSONAL SERVICES	\$ 2,349.00
COMM. DEV., PERSONAL SERVICES	\$ 2,715.00
FACILITIES, PERSONAL SERVICES	\$ 2,454.00
POLICE, PERSONAL SERVICES	\$ 4,907.00
FIRE, PERSONAL SERVICES	\$ 5,481.00
BUILDING, PERSONAL SERVICES	\$ 2,819.00
PUBLIC WORKS, PERSONAL SERVICES	\$ 3,237.00
HEALTH, PERSONAL SERVICES	\$ 2,976.00
COUNCIL ON AGING, PERSONAL SERVICES	\$ 2,349.00
LIBRARY, PERSONAL SERVICES	\$ 2,506.00
EMPLOYEE BENEFITS, OTHER BENEFITS	\$ 3,000.00

104-22. ORDERED THAT: there be and hereby is transferred from within the following PERSONAL SERVICES accounts the sum of SEVEN THOUSAND, EIGHT HUNDRED THIRTY AND 00/100 DOLLARS (\$7,830.00) same to be credited to the following accounts:

WATER ENTERPRISE FUND	\$ 2,976.00
WASTEWATER ENTERPRISE FUND	\$ 2,715.00
AIRPORT FUND	\$ 2,141.00

Report read and accepted. Orders adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members.
Orders signed by the Mayor on May 18, 2022

The Finance Committee recommended the following Order be amended from \$35,000.00 to \$55,000.00 and be adopted as amended:

117-22. ORDERED THAT: There be and hereby is transferred from within the sum ~~THIRTY FIVE THOUSAND AND 00/100 DOLLARS (\$35,000.00)~~ same to be transferred from FIRE, PERSONAL SERVICES, INCENTIVES and credited to FIRE, PERSONAL SERVICES, OVERTIME.

Report read and accepted. Order amended from \$35,000.00 to **\$55,000.00** and be adopted as amended by unanimous consent 11/0. 11 members present. Board consists of 11 members.
Order signed by the Mayor on May 18, 2022

The Finance Committee recommended the following Orders be adopted:

118-22. ORDERED THAT: There be and hereby is transferred from within the sum of TWELVE THOUSAND, ONE HUNDRED EIGHTY-SIX AND 00/100 DOLLARS (\$12,186.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, PURCHASE OF PPE and credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, FOOD INSECURITY ASSISTANCE.

119-22. ORDERED THAT: There be and hereby is transferred from within the sum of FORTY-FOUR THOUSAND, FOUR HUNDRED SIXTY-EIGHT AND 00/100 DOLLARS (\$44,468.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, SUPPORT FOR STUDENTS (\$40,000.00) and COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, PURCHASE OF PPE (\$4,468.00) credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, BUSINESS ASSISTANCE.

120-22. ORDERED THAT: There be and hereby is transferred from within the sum of FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$45,000.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, SUPPORT FOR STUDENTS (\$40,000.00) and COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, HOMELESSNESS SERVICES (\$5,000.00) credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, HOMEOWNER AND RENTER ASSISTANCE.

Report read and accepted. Orders adopted by vote of 10 in favor and 1 opposed (Beauchemin). 11 members present. Board consists of 11 members.
Orders signed by the Mayor on May 18, 2022

The Finance Committee recommended the following Orders be adopted:

- 121-22. ORDERED THAT: There be and hereby is appropriated the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT CAPITAL EXPENSES, ARCHITECTURAL/ENGINEERING for design of a stage at Riverfront Park.
- 122-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 (\$150,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT CAPITAL EXPENSES, CONSTRUCTION for construction of the Oliver Street Parking Lot.
- 123-22. ORDERED THAT: There be and hereby is transferred the sum of FIFTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$58,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to the following DEPARTMENT OF PUBLIC WORKS, SNOW & ICE accounts:
SALT \$58,000.00
- 124-22. ORDERED THAT: There be and hereby is transferred the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited DPW STREET LIGHTS EXPENSES, STREET LIGHT MAINTENANCE.
- 125-22. ORDERED THAT: There be and hereby is transferred the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to DPW TRAFFIC SIGNAL EXPENSES, TRAFFIC SIGNAL MAINTENANCE.
- 126-22. ORDERED THAT: There be and hereby is transferred from within the sum of FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$500,000.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to DPW CAPITAL EXPENSES, STREET REPAIR and the purpose of paving Industrial Road.
- 127-22. ORDERED THAT: There be and hereby is appropriated the sum of FOUR HUNDRED THOUSAND AND 00/100 DOLLARS (\$400,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW ADMIN. EXPENSES, STORMWATER CONTRACT SERVICES.
- 128-22. ORDERED THAT: There be and hereby is appropriated the sum of FOUR HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$460,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, EQUIPMENT.

- 129-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED NINETY-SIX THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS (\$196,500.00) same to be charged against AVAILABLE FUNDS and credited to PARKS CAPITAL EXPENSES, PARKS AND PLAYGROUNDS.
- 130-22. ORDERED THAT: There be and hereby appropriated the sum of EIGHT HUNDRED THOUSAND AND 00/100 (\$800,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, STREET REPAIR for the purpose of paving Clarendon Street.
- 131-22. ORDERED THAT: There be and hereby is appropriated the sum of FIVE HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$575,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, OAK HILL ROAD BRIDGE REPAIR.
- 132-22. ORDERED THAT: There be and hereby appropriated the sum of SIXTY-FIVE THOUSAND, FORTY-FOUR AND 00/100 DOLLARS (\$65,044.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:
- | | |
|-----------------------------------|-------------|
| TREASURER, PERSONAL SERVICES | \$ 1,138.00 |
| POLICE, PERSONAL SERVICES | \$62,972.00 |
| EMPLOYEE BENEFITS, OTHER BENEFITS | \$ 934.00 |
- (To fund a new 3-year contract with Local 492, Police Dispatchers Union)
- 133-22. ORDERED THAT: There be and hereby is transferred from within the following PERSONAL SERVICES account the sum of THIRTEEN THOUSAND, SEVENTY-EIGHT AND 00/100 DOLLARS (\$13,078.00) same to be credited to the following account: AIRPORT FUND, PERSONAL SERVICES \$13,078.00.
- 134-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED TWENTY-TWO THOUSAND, ONE HUNDRED TWENTY-EIGHT AND 00/100 DOLLARS (\$122,128.00) same to be charged against AVAILABLE FUNDS and credited to accounts as listed in the enclosed Order.
(To fund a new 3-year contract with Local 888 Inspectors, Service Employees International Union.

Report read and accepted. Orders adopted by unanimous consent. 11 members present. Board consists of 11 members.

Orders signed by the Mayor on May 18, 2022

- 135-22. AN ORDINANCE: Amending Chapter 44 of the Fitchburg City Code as outlined in the enclosed Ordinance.
(Table)
- 136-22. AN ORDINANCE: Amending Chapter 44 of the Fitchburg City Code as outlined in the enclosed Ordinance.
(Matrix)

Ordinances were sent to a first and second reading and ordered advertised by roll call vote of 11 in favor and 0 opposed.

11 members present. Board consists of 11 members.

VI. PUBLIC HEARINGS

137-22. Unitil, to petition for a new #4A pole on Prichard Street, approx. 453' North of Elm Street and approx. 190' South of Oliver Street, as outlined in the enclosed Petition.

Petitioner requested a continuance of the Public Hearing to June 7, 2022. Petition to be heard at a Public Hearing June 7, 2022 by unanimous consent 11/0. 11 members present. Board consists of 11 members.

VII. ORDERS – FINANCE

The following Orders were referred to the Finance Committee:

141-22. ORDERED THAT: there be and hereby is appropriated the sum of TWO HUNDRED NINETY-EIGHT THOUSAND AND 00/100 DOLLARS (\$298,000.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:

HIGHWAY, PERSONAL SERVICES	\$231,000.00
CEMETERY, PERSONAL SERVICES	\$ 40,000.00
PARKS, PERSONAL SERVICES	\$ 27,000.00

142-22. ORDERED THAT: there be and hereby is transferred from within the following PERSONAL SERVICES accounts the sum of ONE HUNDRED SEVENTY-ONE THOUSAND AND 00/100 DOLLARS (\$171,000.00) same to be credited to the following accounts:

WATER ENTERPRISE FUND, PERSONAL SERVICES	\$125,000.00
WASTEWATER ENTERPRISE FUND, PERSONAL SERVICES	\$ 46,000.00

143-22. ORDERED THAT: there be and hereby is transferred from within the sum of FOUR THOUSAND, SEVENTY-ONE AND 00/100 DOLLARS (\$4,071.00) same to be transferred from CITY CLERK PERSONAL SERVICES, CLERICAL and credited to CITY CLERK EXPENSES, TEMPORARY PERSONNEL SERVICES.

144-22. ORDERED THAT: there be and hereby is transferred from within the sum of SIXTY-TWO THOUSAND AND 00/100 DOLLARS (\$62,000.00) same to be transferred from POLICE PERSONAL SERVICES, PATROLMEN and credited to the following POLICE, EQUIPMENT AND REPAIR accounts:

AUTO REPAIR	\$25,000.00
GAS AND OIL	\$17,000.00
TRAINING	\$20,000.00

145-22. ORDERED THAT: there be and hereby is appropriated there be and hereby is appropriated the sum of ONE HUNDRED EIGHTY-FIVE THOUSAND, SIX HUNDRED SEVENTY-TWO AND 00/100 DOLLARS (\$185,672.00) same to be charged against AVAILABLE FUNDS and credited to POLICE DEPARTMENT, CAPITAL EXPENDITURES, BUILDING RENOVATION for the purpose of hiring a project management team to assist with the renovation of the police station.

- 146-22. ORDERED THAT: there be and hereby is appropriated the sum of TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$25,000.00) same to be charged against AVAILABLE FUNDS and credited to FIRE DEPARTMENT EQUIPMENT & REPAIR, GAS AND OIL.
- 147-22. ORDERED THAT: there be and hereby is appropriated the sum of NINETY THOUSAND, SEVEN HUNDRED THIRTY-EIGHT AND 00/100 DOLLARS (\$90,738.00) same to be charged against AVAILABLE FUNDS and credited FACILITIES—CITY HALL, REPAIR AND CARE SUPPLIES OTHER for the demolition of the pedestrian bridge off Kimball Street over the railroad tracks.
- 148-22. ORDERED THAT: there be and hereby is transferred from within the sum of SEVENTY THOUSAND AND 00/100 DOLLARS (\$70,000.00) same to be transferred from DPW ADMIN/ENGINEERING PERSONAL SERVICES, CIVIL ENGINEER (\$50,000.00) AND ASSISTANT CITY ENGINEER (\$20,000.00) and credited to DPW CAPITAL EXPENSES, EQUIPMENT for the purpose of replacing vehicles and equipment.
- 149-22. ORDERED THAT: there be and hereby is appropriated the sum of TWENTY-THREE THOUSAND, TWO HUNDRED AND 10/100 DOLLARS (\$23,200.10) same to be charged against RESERVED FOR APPROPRIATION, TNC PER RIDE ASSESSMENT and credited to DPW CAPITAL EXPENSES, STREET REPAIR for the purpose of road repaving.
- 150-22. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Housing & Economic Development earmark in the approximate amount of \$25,000.00 (TWENTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said earmark, which is to purchase concrete blocks to extend a retaining wall at the Forest Hill Cemetery.
- 151-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Winter Recovery Assistance Program grant in the approximate amount of \$601,957.73 (SIX HUNDRED ONE THOUSAND, NINE HUNDRED FIFTY-SEVEN AND 73/100 DOLLARS) for the purpose of said grant, which is to repair city streets and sidewalks impacted by the past harsh winter.

VIII. LOAN ORDERS-ROLL CALL VOTE

The following Loan Orders were referred to the Finance Committee:

- 152-22. LOAN ORDER: Appropriate \$3,300,000.00 to pay the cost of demolishing the existing and constructing a new Oak Hill Water Storage Tank and complete misc. repairs/work at the Overlook, Scott and Falulah Water Storage Tanks as outlined in the enclosed Loan Order.
- 153-22. LOAN ORDER: Appropriate \$30,000,000.00 to pay the cost of various sewer separation projects including, but not limited to sewer separation project CSO 010, 032, 045, and 083 Separation/Rehabilitation as outlined in the enclosed Loan Order.
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IX. BUDGET ORDERS-FY 2023

The following Budget Orders were referred to the Council as a Whole Committee:

- 154-22. MAYOR'S FY23 BUDGET
- 155-22. OVERLAY SURPLUS.
- 156-22. AVAILABLE FUNDS.
- 157-22. PARKING METER/GARAGE RECEIPTS
- 158-22. PEG ACCESS AND CABLE RELATED FUND RECEIPTS
- 159-22. CEMETERY SALE OF LOTS AND GRAVES
- 160-22. WATER ENTERPRISE FUND RECEIPTS
- 161-22. WASTEWATER ENTERPRISE FUND RECEIPTS
- 162-22. AIRPORT RECEIPTS
- 163-22. REVOLVING FUNDS

Budget Orders can be viewed here:

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/9855/FY-2023-Budget-Orders>

X. PETITIONS

The following Petition was referred to the City Property Committee and and Excess Needs Survey:

- 164-22. Anne Cervantes, City Treasurer, to have the following properties be declared as excess and designate to the Side Yard Sales Program:
 - 0 Clarendon Street
 - 12 Martel Street
 - 223 Mechanic Street
 - 46 Mt. Vernon Street
 - 10 Northmen Passway
 - 70 Clarendon Street
 - 110 Fairmount Street
 - 137 Blossom Street

The following Petition was referred to the Public Works Department upon their review then will be referred to the Public Safety Committee:

- 165-22. Councilors Squailia & Cruz, for a traffic study to improve bicycle and pedestrian safety at the Twin City Rail Trail crossing and Bemis Road and Water Street, to determine best solutions for improving safety; ie, a "No Right Turn on Red" on Bemis Road turning right onto Water Street and on Water Street turning right onto Bemis Road and/or Rectangular Rapid-Flashing Beacon.

The following Petitions were referred to a Public Hearing June 7, 2022:

- 166-22. Comcast, to request a grant of location for the purpose of installing a new conduit to provide the Comcast service on Sawyer Passway in Fitchburg.
- 167-22. Comcast, to request a grant of location for the purpose of installing a new conduit to provide the Comcast service to 180 Main Street, Fitchburg.
- 168-22. Comcast, to request a grant of location for the purpose of installing a new conduit to provide the Comcast service on Main Street, Fitchburg.
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XI. ANNOUNCEMENTS

President Zarrella read the following announcements:

- The Fitchburg Community Lions Club has a few meals available for their BBQ pulled pork dinner. Cost is \$ 7 Dine in or carryout 4 – 6 pm-ish, at the Senior Center.
- The Montachusett MLK Coalition, a local non-profit organization, will present another Wrestling with Racism event this coming Thursday night, May 19, from 6:30 to 7:30 on Zoom. MLK Coalition members Oscar Goss and Bernie Schultz will co-facilitate the event. The topic will be: "Colorism - Concept, Causes, and Consequences." If you want to attend the event, you can get a free ticket for the event by registering at Eventbrite, or by contacting Bernie Schultz for the Zoom link.
- The Rotary Club of Fitchburg and Fitchburg East Congratulate the 2022 Award Honorees:
 - Police Department: Daniel Bellofatto
 - Fire Department: Rachel King, Melissa Ahola, and Brenda Fitzgerald
 - City of Fitchburg DPW: Lin (William) Goodwin
 - City of Fitchburg: Trevor Bonilla
 - St. Bernard's High School: Jessica Gregorczyk
 - Montachusett Regional Vocational School: Lauren Sanborn
 - Goodrich Academy: Tammy Marrama
 - Longsjo Middle School: Michelle Wright
 - South Street Elementary: Rebecca Goodlett, Deb Duteau, Molly Reid, Noemi Farraro
 - Fitchburg High School: Aurea Rivera

XII. OTHER BUSINESS

<https://videoplayer.telvue.com/player/yycCAZPb0NN3zi2o5qio-YFMNC43NjCG/playlists/3129/media/720672?sequenceNumber=13&autostart=true&showtabssearch=true>

The meeting adjourned at 7:33 P.M.

Joanna Bilotta-Simeone

Joanna Bilotta-Simeone, City Clerk